

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLORIA SANCHEZ,
Plaintiff,
v.
CENTRAL MORTGAGE COMPANY,
Defendant.

Case No. [15-cv-03597-JSC](#)

ORDER RE: MOTION TO DISMISS

Plaintiff Gloria Sanchez (“Plaintiff”) brings this foreclosure-related action against Defendant Central Mortgage Company (“Defendant”) alleging that Defendant engaged in fraud, violated the California Homeowners Bill of Rights, and is liable for breach of contract and breach of the covenant of good faith and fair dealing in connection with its roles as servicer of Plaintiff’s residential mortgage loan. (Dkt. No. 1.) Now pending before the Court is Defendant’s Motion to Dismiss, filed on October 8, 2015, in which Defendant seeks to dismiss the complaint in its entirety pursuant to Federal Rule of Civil Procedure 12(b) subdivisions (1) and (6). (Dkt. No. 17.) When Plaintiff failed to file a timely opposition to the motion to dismiss, the Court issued an order directing Plaintiff to show cause why the motion should not be granted and to file an opposition to the motion. (Dkt. No. 29.) Plaintiff filed a timely show cause response and, instead of filing an opposition, has lodged an amended complaint. (Dkt. No. 31, 32.) Defendant may file a response to Plaintiff’s show cause response by **November 16, 2015**. The hearing on Defendant’s motion to dismiss, previously set for November 12, 2015, is RESCHEDULED for **November 19, 2015**.

IT IS SO ORDERED.

Dated: November 10, 2015


JACQUELINE SCOTT CORLEY
United States Magistrate Judge